

SERVICE DATE – LATE RELEASE APRIL 15, 2008

SURFACE TRANSPORTATION BOARD

DECISION

STB Ex Parte No. 677

COMMON CARRIER OBLIGATION OF RAILROADS

Decided: April 15, 2008

The Board will hold a 2-day public hearing to examine issues related to the common carrier obligation of railroads on Thursday, April 24, 2008, and Friday, April 25, 2008, in the 1st floor hearing room at the Board's headquarters at 395 E Street, S.W., Washington, D.C. The hearing will begin at 9:00 a.m. on both days.

The Board announced the hearing by notice served on February 22, 2008, and established due dates for persons wishing to speak at the hearing to advise the Board of their intent to participate and request a time allotment, and for submission of written testimony. Based on those submissions, the Board issued a decision setting the schedule of speakers and providing instructions for attendance at the hearing on April 3, 2008. This decision sets a revised schedule of appearances.

The revised schedule of appearances and the time provided for each party appear in the Appendix to this decision. As stated in the Board's previous decisions, each speaker should file with the Board his or her written testimony by April 17, 2008. Written submissions by interested persons not appearing at the hearing are also due by April 17, 2008. Because the Board will have read the written submissions in advance of the hearing, witnesses should not read their written submissions at the hearing, but instead should summarize their key points.

If a party wishes to enhance its presentation by using projector-adaptable visual displays and/or handouts, it may do so. Staff will be available to demonstrate the hearing room's projection system on April 23, 2008, from 2 p.m. to 4 p.m. Please call (202) 245-0245, to make arrangements.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. Time for the hearing is allotted as reflected in the Appendix to this decision.

2. This decision is effective on the date of service.

By the Board, Anne K. Quinlan, Acting Secretary.

Anne K. Quinlan
Acting Secretary

APPENDIX
SCHEDULE OF APPEARANCES

April 24, 2008

<u>Party</u>	<u>Time Allotted</u>
Panel I: Members of Congress and Guests	
The Honorable Ron Wyden U.S. Senate	20 minutes
The Honorable Gordon Smith U.S. Senate	20 minutes
The Honorable Peter A. DeFazio U.S. House of Representatives	20 minutes
Coos-Siskiyou Shippers Coalition Allyn C. Ford	10 minutes
Panel II: Freight Railroads	
BNSF Railway Company Richard E. Weicher	10 minutes
Union Pacific Railroad Company J. Michael Hemmer	10 minutes
Kansas City Southern Railway Company David C. Reeves	10 minutes
Panel III: State Government Interests	
Washington State Department of Transportation Scott L. Witt	15 minutes
National Association of State Departments of Agriculture Roger Johnson	15 minutes

North Dakota Public Service Commission
William W. Binek

15 minutes

Panel IV-A: State Governments, Grain Shippers and Agricultural Interests

State of Montana
The Honorable Mike McGrath or the Honorable Jim Lynch

10 minutes

Idaho Wheat Commission, et al.
Terry C. Whiteside

10 minutes

National Grain and Feed Association
Kendell W. Keith or Dan Mack

15 minutes

North Dakota Grain Dealers Association
Steven D. Strege

10 minutes

Ag Processing Inc.
Terry J. Voss

10 minutes

Frank Bros. Feed & Grain Co.
John M. Frank

10 minutes

Panel IV-B: Chemical Shipper Associations

American Chemistry Council
Jack N. Gerard

15 minutes

The Chlorine Institute, Inc.
Arthur Dungan and Paul Donovan

10 minutes

The Fertilizer Institute
Bob Felgenhauer

10 minutes

Panel IV-C: Chemical Shippers

Dow Chemical Company
Cindy Elliott

10 minutes

Calabrian Corporation
Charles E. Cogliandro

10 minutes

DuPont Company
Gary W. Spitzer

10 minutes

Panel IV-D: Chemical Shippers

US Magnesium LLC
Howard I. Kaplan

10 minutes

Total Petrochemicals USA, Inc.
Bernard Claude

10 minutes

Occidental Chemical Corporation
Robin A. Burns

10 minutes

Olin Chlor-Alkali Products
John McIntosh

10 minutes

Panel IV-E: Associations

The National Industrial Transportation League
Doug Kratzberg and Nicholas DiMichael

10 minutes

April 25, 2008

Party

Time Allotted

Panel I: Freight Railroads

CSX Transportation, Inc.
John M. Gibson

10 minutes

Norfolk Southern Corporation
James A. Hixon

10 minutes

Association of American Railroads
Edward R. Hamberger and Lou Warchot

15 minutes

Panel II: Short Line and Regional Railroads

American Short Line and Regional Railroad Association
Richard F. Timmons and Keith T. Borman

10 minutes

RailAmerica, Inc.
Paul Lundberg

10 minutes

Chicago SouthShore & South Bend Railroad Co.
Henry B. Lampe

10 minutes

CNJ Rail Corporation
Eric S. Strohmeyer

10 minutes

Panel III: Coal Shippers and Utilities

Arkansas Electric Cooperative Corporation
Steve Sharp

10 minutes

Concerned Captive Coal Shippers
C. Michael Loftus and Andrew B. Kolesar III

10 minutes

Edison Electric Institute TBD and Michael F. McBride	15 minutes
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Western Coal Traffic League Peter A. Pfohl	5 minutes
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Panel IV: Labor

United Transportation Union-General Committee of Adjustment TBD	5 minutes
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Panel V: Other Interests

Clean Earth of North Jersey, Inc. Robert P. Fixter	10 minutes
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Slaughter Company Benjamin B. Slaughter	10 minutes
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Highroad Consulting, Ltd. Sandra Dearden	10 minutes
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Evrax Claymont Steel Daniel R. Kloss	10 minutes
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Raymond Tylicki	10 minutes
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